

By Senator Rich

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A bill to be entitled

An act relating to adoption; amending s.
63.042, F.S.; providing that a person who is a
homosexual is eligible to be an adoptive parent
under certain enumerated circumstances;
requiring that the eligibility criteria be met
by clear and convincing evidence; providing an
effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (3) of section 63.042, Florida
Statutes, is amended to read:

63.042 Who may be adopted; who may adopt.--

(3)(a) ~~A No~~ person is not eligible to adopt under this
statute ~~may adopt~~ if that person is a homosexual except as
provided in paragraph (b).

(b) If a court finds, by clear and convincing
evidence, that the adoptee resides with the person proposing
to adopt the adoptee, the adoptee recognizes the person as the
adoptee's parent, and granting the adoptee permanency in that
home is more important to the adoptee's developmental and
psychological needs than maintaining the adoptee in a
temporary placement.

Section 2. This act shall take effect July 1, 2005.

SENATE SUMMARY

Provides that a person who is a homosexual is eligible to
be an adoptive parent under certain enumerated
circumstances. Requires that the eligibility criteria be
met by clear and convincing evidence.